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AMENDMENT TO THE DRAWINGS

The attached three (3) sheets of replacement drawings includes changes to Figures 1-3 and replace Figures 1-3. In Figure 1, reference character 300 has been deleted and the legend "Prior Art" has been added. In Figure 2, the legend "Prior Art" has been added. In Figure 3, reference character 1300 has been deleted and reference character 500 has been replaced with reference character 1510.

Attachment: Replacement Sheet for Figures 1-3

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REMARKS

The Office Action dated June 15, 2006, and the publication relied on therein have been carefully reviewed, and in view of the above changes and following remarks reconsideration and allowance of all the claims pending in the application are respectfully requested.

The Title

Assignee has amended the title to be "METHOD AND APPARATUS FOR FASTENING ADJUSTABLE OPTICAL LENSES" to generally improve the form of the title.

Amendments To The Claims

Assignee has amended claims 1, 6 and 12 to better distinguish over the applied art. Specifically regarding claim 1, Assignee has amended claim 1 so that claim 1 now comprises "mounting the optical-lens group on at least one groove of the optical-lens pedestal". Claims 6 and 12 have been similarly amended.

Assignee has also amended claims 1, 6, 7, 9-13 and 15-17, as set forth above, to generally improve their respective forms in accordance with U.S. patent law. Assignee respectfully submits that the minor changes to claims 1, 6, 7, 9-13 and 15-17 are directed to formal matters and do not narrow the scope of the amended claims. In some cases, the minor changes broaden the scope of the amended claims. Therefore, no prosecution-history estoppel results from the minor amendments.

The Objection To The Drawings

The drawings stand objected to under 37 C.F.R. § 1.84(p)(5) because (1) the drawings do not include several reference signs mentioned in the description and (2) the drawings include several reference characters that are not mentioned in the description. In particular, the Examiner indicates that reference numeral 1710 is mentioned in the description, but not included in the drawings, and that reference characters 1529, 1300, 1500, 1119, 1700 and 1713 are included in the drawings, but not mentioned in the description.

Additionally, the drawings stand objected to because the Examiner indicates that the optical-lens pedestal 1710 must be shown or the feature canceled from the claims.

Lastly, Figures 1 and 2 stand objected to because Figures 1 and 2 should be designated by the legend "Prior Art."

Regarding reference numeral 1710, Assignee respectfully submits that reference numeral 1710 is shown in Figure 5. Moreover, reference character 1710 designates the optical-lens pedestal, Assignee respectfully submits that optical-lens pedestal 1710 is shown in the drawings and does not need to be canceled from the claims.

Regarding reference character 1529, Assignee respectfully submits that the description mentions reference character 1529 at least at line 3 of paragraph [0032].

Regarding reference character 1300, Assignee has amended Figure 3 to delete reference character 1300. Additionally, Assignee has amended Figure 1 to delete reference character 300.

Regarding reference character 1500, Assignee respectfully believes that the Examiner is actually referring to reference character 500. Accordingly, Assignee has amended Figure 3 to show reference character 1510.

Regarding reference character 1119, Assignee respectfully believes that the Examiner is actually referring to reference character 1719. Accordingly, Assignee respectfully submits that the description mentions reference character 1719 at least at line 6 of paragraph [0028].

Regarding reference character 1700, Assignee respectfully submits that the description mentions reference character 1700 at least at line 4 of paragraph [0027].

Regarding reference character 1713, Assignee respectfully submits that the description mentions reference character 1713 at least at line 4 of paragraph [0029].

Assignee has amended Figures 1 and 2 to include the legend "Prior Art."

Consequently, Assignee respectfully requests that the Examiner withdraw the objections to the drawings.

The Rejection Under 35 U.S.C. § 112, Second Paragraph

Assignee has amended claims 7, 9, 13 and 15 to address the antecedent basis issue raised by the Examiner. Assignee respectfully submits that these changes should not be interpreted as indicating agreement by the Assignee with the Examiner's position. Rather, Assignee believes that these changes are directed merely to minor aspects of form and, as such, do not narrow claim scope or result in prosecution-history estoppel.

Consequently, Assignee respectfully requests that the Examiner withdraw this rejection.

The Rejection Under 35 U.S.C. § 102(b) Over Tsai

Claim 1-17 stand rejected under 35 U.S.C. § 102(b) as anticipated by Tsai, U.S. Patent Application Publication No. 2002/0024709 A1.

Assignee respectfully traverses this rejection. Assignee respectfully submits that the subject matter according to any of claims 1-17 is not anticipated by Tsai. Further, Assignee respectfully submits that the subject matter according to any of claims 1-17 is patentable over Tsai.

Regarding claim 1, Assignee respectfully submits that Tsai does not disclose or suggest a method comprising mounting the claimed optical-lens group on at least one groove of the optical-lens pedestal. While the Examiner asserts that "the optical-lens pedestal [has] at least one groove (Ref 30)," Assignee respectfully submits that Tsai is completely silent regarding the claimed groove.

Thus, Assignee respectfully submits that claim 1 is allowable over Tsai. Further, claims 2-5, which each incorporate the limitations of claim 1, are allowable over Tsai for at least the same reasons that claim 1 is considered allowable.

Regarding claim 6, Assignee respectfully submits that claim 6 is allowable over Tsai for reasons that are similar to the reasons that claim 1 is considered allowable. It follows that claims 7-11, which each incorporate the limitations of claim 6, are each allowable over Tsai for at least the same reasons that claim 6 is considered allowable.

Regarding claim 12, Assignee respectfully submits that claim 12 is allowable over Tsai for reasons that are similar to the reasons that claim 1 is considered allowable. It follows that claims 13-17, which each incorporate the limitations of claim 12, are each allowable over Tsai for at least the same reasons that claim 6 is considered allowable.

Consequently, Assignee respectfully requests that the Examiner withdraw this rejection and allow claims 1-17.

Newly Added Claims

Assignee respectfully requests that the Examiner enter claims 18-43. Support for these claims can be found in the specification and, for example, in originally filed claims 1-17.

Assignee respectfully submits that claims 18-43 are allowable for reasons that are similar to the reasons that claims 1-17 are considered allowable.

Assignee notes that additional patentable distinctions between Tsai and the rejected claims exist; however, the foregoing is believed sufficient to address the Examiner's rejections. Moreover, failure of the Assignee to respond to a position taken by the Examiner is not an indication of acceptance or acquiescence of the Examiner's position. Instead, it is believed that the Examiner's positions are rendered moot by the foregoing and, therefore, it is believed not necessary to respond to every position taken by the Examiner with which Assignee does not agree.

CONCLUSION

In view of the above amendments and arguments, it is urged that the present application is now in condition for allowance. Should the Examiner find that a telephonic or personal interview would expedite passage to issue of the present application, the Examiner is encouraged to contact the undersigned attorney at the telephone number indicated below.

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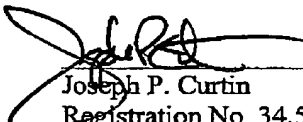
Application Serial No. 10/063,433

A general authorization under 37 C.F.R. § 1.25(b), second sentence, is hereby given to credit or debit Deposit Account No. 50-3703 for the instant filing and for any other fees during the pendency of this application under 37 C.F.R. §§ 1.16, 1.17 and 1.18.

It is requested that this application be passed to issue with claims 1-43.

Respectfully submitted,
Berkeley Law & Technology Group, LLC

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